

- (3) Within 30 days of the date of completion of the accelerated monitoring tests observed to exceed either trigger, the Discharger shall initiate a TRE in accordance with a TRE work plan that incorporates any and all comments from the Executive Officer.
- (4) The TRE shall be specific to the discharge and be prepared in accordance with current technical guidance and reference materials, including USEPA guidance materials. The TRE shall be conducted as a tiered evaluation process, such as summarized below:
  - i. Tier 1 consists of basic data collection (routine and accelerated monitoring).
  - ii. Tier 2 consists of evaluation of optimization of the treatment process, including operation practices and in-plant process chemicals.
  - iii. Tier 3 consists of a toxicity identification evaluation (TIE).
  - iv. Tier 4 consists of evaluation of options for additional effluent treatment processes.
  - v. Tier 5 consists of evaluation of options for modifications of in-plant treatment processes.
  - vi. Tier 6 consists of implementation of selected toxicity control measures, and follow-up monitoring and confirmation of implementation success.
- (5) The TRE may be ended at any stage if monitoring finds there is no longer consistent toxicity (complying with requirements of Section IV.D.2 of this Order).
- (6) The objective of the TIE shall be to identify the substance or combination of substances causing the observed toxicity. All reasonable efforts using currently available TIE methodologies shall be employed.
- (7) As toxic substances are identified or characterized, the Discharger shall continue the TRE by determining the source(s) and evaluating alternative strategies for reducing or eliminating the substances from the discharge. All reasonable steps shall be taken to reduce toxicity to levels consistent with chronic toxicity evaluation parameters.
- (8) Many recommended TRE elements parallel required or recommended efforts of source control, pollution prevention and storm water control programs. TRE efforts should be coordinated with such efforts. To prevent duplication of efforts, evidence of complying with requirements or recommended efforts of such programs may be acceptable to comply with TRE requirements.
- (9) The Regional Water Board recognizes that chronic toxicity may be episodic and identification of causes of and reduction of sources of chronic toxicity may not be successful in all cases. Consideration of enforcement action by the Regional Water Board will be based in part on the Discharger's actions and efforts to identify and control or reduce sources of consistent toxicity.

**f. Optional Mass Offset**

If the Discharger can demonstrate that further net reductions of the total mass loadings of 303(d)-listed pollutants to the receiving water cannot be achieved through economically

feasible measures such as aggressive source control, wastewater reuse, and treatment plant optimization, but only through a mass offset program, the Discharger may submit to the Regional Water Board for approval a mass offset plan to reduce 303(d)-listed pollutants to the same watershed or drainage basin. The Regional Water Board may modify this Order to allow an approved mass offset program.

**g. Optional Near-Field Site-Specific Translator Study**

The Discharger has the option to conduct a receiving water study, near-field to the discharge, during the term of this Order for determination of new, near-field site-specific translators for chromium, zinc, and lead for use during the next permit reissuance. If the Discharger plans to perform the study, then it shall follow the tasks and schedules below.

**Table 10. Optional Site-Specific Translator Study Tasks and Schedule**

Task	Schedule
(1) Submit a study plan acceptable to the Executive Officer.	At the Discharger's discretion.
(2) Commence data collection.	Within 45 days after submitting the study plan if the Executive Officer does not comment on the study plan.
(3) Submit a final study report documenting the study and proposing translators for the discharge.	Within 60 days after data collection.

**3. Best Management Practices and Pollutant Minimization**

**a. Pollutant Minimization Program (PMP)**

The Discharger shall continue to improve, in a manner acceptable to the Executive Officer, its PMP to reduce pollutant loadings to the treatment plant and therefore to the receiving waters.

**b. Annual Pollution Prevention (P2) Report**

The Discharger shall submit an annual report, acceptable to the Executive Officer, no later than February 28th of each calendar year. The annual report shall cover January through December of the preceding year. Each annual report shall include at least the following information:

- (1) *A brief description of the treatment plant, treatment plant processes and service area.*
- (2) *Discussion of current pollutants of concern.* Periodically, the Discharger shall determine which pollutants are currently a problem and/or which pollutants may be potential future problems. This discussion shall address why the pollutants were identified as pollutants of concern.
- (3) *Identification of sources of pollutants of concern.* This discussion shall address how the Discharger identifies pollutant sources. The Discharger should also identify sources or potential sources not directly within its ability or authority to control, such as pollutants in the potable water supply and air deposition.

- (4) *Identification and implementation of measures to reduce the sources of the pollutants of concern.* This discussion shall identify and prioritize tasks to address the Discharger's pollutants of concern. The Discharger may implement the tasks themselves or participate in a regional, State, or national group to address its pollutants of concern whenever it is efficient and appropriate to do so. A time line shall be included for the implementation of each task.
- (5) *Outreach to employees.* The Discharger shall inform its employees regarding pollutants of concern, potential sources, and how they might be able to help reduce the discharge of these pollutants. The Discharger may provide a forum for employees to provide input to the program.
- (6) *Continuation of Public Outreach Program.* The Discharger shall prepare a public outreach program to communicate pollution minimization measures to its service area. Outreach may include participation in existing community events such as county fairs, initiating new community events such as displays and contests during Pollution Prevention Week, conducting school outreach programs, conducting plant tours, and providing public information in various media. Information shall be specific to target audiences. The Discharger shall coordinate with other agencies as appropriate.
- (7) *Discussion of criteria used to measure the PMP's and tasks' effectiveness.* The Discharger shall establish criteria to evaluate the effectiveness of its PMP. This discussion shall address specific criteria used to measure the effectiveness of each task identified in Provision VI.C.3.b.(3-6), above.
- (8) *Documentation of efforts and progress.* This discussion shall detail all of the Discharger's activities in the PMP during the reporting year.
- (9) *Evaluation of the PMP's and tasks' effectiveness.* The Discharger shall use the criteria established in b.(7), above, to evaluate the PMP's and tasks' effectiveness.
- (10) *Identification of specific tasks and time schedules for future efforts.* Based on the evaluation of effectiveness, the Discharger shall describe how it will continue or change its PMP tasks to more effectively reduce the loading of pollutants to the treatment plant and therefore in its effluent.

**c. PMP for Pollutants with Effluent Limitations**

The Discharger shall develop and conduct a PMP as further described below when there is evidence (e.g., sample results reported as DNQ when the effluent limitation is less than the MDL, sample results from analytical methods more sensitive than those methods required by this Order, presence of whole effluent toxicity, health advisories for fish consumption, results of benthic or aquatic organism tissue sampling) that a priority pollutant is present in the effluent above an effluent limitation and either:

- (1) A sample result is reported as DNQ and the effluent limitation is less than the RL; or
- (2) A sample result is reported as ND and the effluent limitation is less than the MDL, using definitions described in the SIP.

**d. PMP Submittals for Pollutants with Effluent Limitations**

If triggered by the reasons in c, above, the Discharger's PMP shall include, but not be limited to, the following actions and submittals acceptable to the Regional Water Board:

- (1) An annual review and semi-annual monitoring of potential sources of the reportable priority pollutant(s), which may include fish tissue monitoring and other bio-uptake sampling, or alternative measures approved by the Executive Officer when it is demonstrated that source monitoring is unlikely to produce useful analytical data;
- (2) Quarterly monitoring for the reportable priority pollutant(s) in the influent to the wastewater treatment system, or alternative measures approved by the Executive Officer, when it is demonstrated that influent monitoring is unlikely to produce useful analytical data;
- (3) Submittal of a control strategy designed to proceed toward the goal of maintaining concentrations of the reportable priority pollutant(s) in the effluent at or below the effluent limitation;
- (4) Implementation of appropriate cost-effective control measures for the reportable priority pollutant(s), consistent with the control strategy; and
- (5) The annual report required by 3.b. above, shall specifically address the following items:
  - i. All PMP monitoring results for the previous year,
  - ii. A list of potential sources of the reportable priority pollutant(s),
  - iii. A summary of all actions undertaken pursuant to the control strategy, and
  - iv. A description of actions to be taken in the following year.

**4. Construction, Operation and Maintenance Specifications**

**a. Wastewater Facilities, Review and Evaluation, and Status Reports**

- (1) The Discharger shall operate and maintain its wastewater collection, treatment, and disposal facilities in a manner to ensure that all facilities are adequately staffed, supervised, financed, operated, maintained, repaired, and upgraded as necessary, in order to provide adequate and reliable transport, treatment, and disposal of all wastewater from both existing and planned future wastewater sources under the Discharger's service responsibilities. The City of San Jose shall be responsible for operation and maintenance of its wastewater collection system, and the City of Santa Clara shall be responsible for operation and maintenance of its wastewater collection system.
- (2) The Discharger shall regularly review and evaluate its wastewater facilities and operation practices in accordance with Section a.(1), above. Reviews and evaluations

shall be conducted as an ongoing component of the Discharger's administration of its wastewater facilities.

- (3) The Discharger shall provide the Executive Officer, upon request, a report describing the current status of its wastewater facilities and operation practices, including any recommended or planned actions and an estimated time schedule for these actions. The Discharger shall also include, in each annual self-monitoring report, a description or summary of review and evaluation procedures, and applicable wastewater facility programs or capital improvement projects.

**b. Operations and Maintenance Manual (O&M), Review, and Status Reports**

- (1) The Discharger shall maintain an O&M Manual(s) for the Discharger's wastewater facilities. The O&M Manual(s) shall be maintained in usable condition and be available for reference and use by all applicable personnel.
- (2) The Discharger shall regularly review, revise, or update, as necessary, the O&M Manual(s) to ensure that the document(s) may remain useful and relevant to current equipment and operation practices. Reviews shall be conducted annually, and revisions or updates shall be completed as necessary. For any significant changes in treatment facility equipment or operation practices, applicable revisions shall be completed within 90 days of completion of such changes.
- (3) The Discharger shall provide the Executive Officer, upon request, a report describing the current status of its O&M manual(s), including any recommended or planned actions and an estimated time schedule for these actions. The Discharger shall also include, in each annual self-monitoring report, a description or summary of review and evaluation procedures and applicable changes to its O&M manual(s).

**c. Reliability Status Report**

As part of reviewing requests for exceptions to the Basin Plan discharge Prohibition 1, the Regional Water Board will evaluate the reliability of the Discharger's system in preventing inadequately treated wastewater from being discharged into the receiving waters.

- (1) The Discharger shall maintain a Reliability Status Report for the Discharger's wastewater facilities, which will allow the Regional Water Board to evaluate the reliability of the Discharger's system in preventing inadequately treated wastewater from being discharged into the receiving waters. The Reliability Status Report shall be maintained in usable condition and be available for reference and use by all applicable personnel.
- (2) The Discharger shall regularly review, revise, or update, as necessary, the Reliability Status Report to ensure that the document may remain useful and relevant to current equipment and operation practices. Reviews shall be conducted annually, and revisions or updates shall be completed as necessary. For any significant changes in treatment facility equipment or operation practices, applicable revisions shall be completed as soon as practical.

- (3) The Discharger shall provide the Executive Officer, upon request, a report describing the current status of its Reliability Status Report, including any recommended or planned actions and an estimated time schedule for these actions. The Discharger shall also include, in each annual self-monitoring report, a description or summary of review and evaluation procedures and applicable changes to its Reliability Status Report.

**d. Contingency Plan, Review, and Status Reports**

- (1) The Discharger shall maintain a Contingency Plan as required by Regional Water Board Resolution No. 74-10 (Attachment G) and as prudent in accordance with current municipal facility emergency planning. The discharge of pollutants in violation of this Order where the Discharger has failed to develop and/or adequately implement a Contingency Plan will be the basis for considering such discharge a willful and negligent violation of this Order pursuant to Section 13387 of the CWC.
- (2) The Discharger shall regularly review and update, as necessary, the Contingency Plan so that the plan may remain useful and relevant to current equipment and operation practices. Reviews shall be conducted annually, and updates shall be completed as necessary.
- (3) The Discharger shall provide the Executive Officer, upon request, a report describing the current status of its Contingency Plan review and update. The Discharger shall also include, in each annual self-monitoring report, a description or summary of review and evaluation procedures and applicable changes to its Contingency Plan.

**5. Special Provisions for POTWs**

**a. Pretreatment Program**

- (1) The Discharger shall implement and enforce its approved pretreatment program in accordance with federal Pretreatment Regulations (40 CFR 403), pretreatment standards promulgated under Sections 307(b), 307(c), and 307(d) of the CWA, pretreatment requirements specified under 40 CFR 122.44(j), and the requirements in Attachment H, "Pretreatment Requirements." The Discharger's responsibilities include, but are not limited to:
  - i. Enforcement of National Pretreatment Standards of 40 CFR 403.5 and 403.6;
  - ii. Implementation of its pretreatment program in accordance with legal authorities, policies, procedures, and financial provisions described in the General Pretreatment regulations (40 CFR 403) and its approved pretreatment program;
  - iii. Submission of reports to USEPA, the State Water Board, and the Regional Water Board, as described in Attachment H "Pretreatment Requirements".
  - iv. Evaluate the need to revise local limits under 40 CFR 403.5(c)(1), and within the term of this Order, submit a report acceptable to the Executive Officer describing the changes with a plan and schedule for implementation.

- (2) The Discharger shall implement its approved pretreatment program and the program shall be an enforceable condition of this Order. If the Discharger fails to perform the pretreatment functions, the Regional Water Board, the State Water Board, or USEPA may take enforcement actions against the Discharger as authorized by the CWA.

**b. Biosolids Management Practices Requirements**

- (1) All biosolids generated by the Discharger must be disposed of in a municipal solid waste landfill, used as part of a waste-to-energy facility, reused by land application, or disposed of in a sludge-only landfill in accordance with 40 CFR 503. If the Discharger desires to dispose of biosolids by a different method, a request for permit modification must be submitted to USEPA 180 days before start-up of the alternative disposal practice. All the requirements in 40 CFR 503 are enforceable by USEPA whether or not they are stated in an NPDES permit or other permit issued to the Discharger. The Regional Water Board should be copied on relevant correspondence and reports forwarded to USEPA regarding biosolids management practices.
- (2) Biosolids treatment, storage and disposal or reuse shall not create a nuisance, such as objectionable odors or flies, or result in groundwater contamination.
- (3) The Discharger shall take all reasonable steps to prevent or minimize any biosolids use or disposal which has a likelihood of adversely affecting human health or the environment.
- (4) The discharge of biosolids shall not cause waste material to be in a position where it is or can be carried from the sludge treatment and storage site and deposited in waters of the State.
- (5) The biosolids treatment and storage site shall have facilities adequate to divert surface runoff from adjacent areas, to protect boundaries of the site from erosion, and to prevent any conditions that would cause drainage from the materials in the temporary storage site. Adequate protection is defined as protection from at least a 100-year storm and protection from the highest possible tidal stage that may occur.
- (6) For biosolids that is applied to the land, placed on a surface disposal site, or fired in a biosolids incinerator as defined in 40 CFR 503, the Discharger shall submit an annual report to USEPA and the Regional Water Board containing monitoring results and pathogen and vector attraction reduction requirements as specified by 40 CFR 503, postmarked February 15 of each year, for the period covering the previous calendar year.
- (7) Biosolids that are disposed of in a municipal solid waste landfill must meet the requirements of 40 CFR 258. In the annual self-monitoring report, the Discharger shall include the amount of biosolids disposed of and the landfill(s) to which it was sent.
- (8) Permanent on-site biosolids storage or disposal activities are not authorized by this Order. A report of Waste Discharge shall be filed and the site brought into

compliance with all applicable regulations prior to commencement of any such activity by the Discharger.

(9) Biosolids Monitoring and Reporting Provisions of this Regional Water Board's Standard Provisions (Attachment G), apply to biosolids handling, disposal and reporting practices.

(10) The Regional Water Board may amend this Order prior to expiration if changes occur in applicable state and federal biosolids regulations.

**c. Sanitary Sewer Overflows and Sewer System Management Plan**

The City of San Jose's collection system and the City of Santa Clara's collection system are part of the facility subject to this Order. As such, the City of San Jose must properly operate and maintain its own collection system, and the City of Santa Clara must properly operate and maintain its own collection system (Attachment D, Standard Provisions - Permit Compliance, subsection I.D). The City of San Jose and the City of Santa Clara must each separately report any noncompliance (Attachment D, Standard Provision - Reporting, subsections V.E.1 and V.E.2), and each separately mitigate any discharge from their respective collection systems in violation of this Order (Attachment D, Standard Provisions - Permit Compliance, subsection I.C). The General Waste Discharge Requirements for Collection System Agencies (General Collection System WDR, Order No. 2006-0003 DWQ) has requirements for operation and maintenance of collection systems and for reporting and mitigating sanitary sewer overflows. While the City of San Jose and the City of Santa Clara must comply with both the General Collection System WDR and this Order, the General Collection System WDR more clearly and specifically stipulates requirements for operation and maintenance and for reporting and mitigating sanitary sewer overflows.

Implementation of the General Collection System WDR requirements for proper operation and maintenance and mitigation of spills will satisfy the corresponding federal NPDES requirements specified in this Order. Following reporting requirements in the General Collection System WDR will satisfy NPDES reporting requirements for sewage spills. Furthermore, the City of San Jose and the City of Santa Clara shall each separately comply with the schedule for development of sewer system management plans (SSMPs) as indicated in the letter issued by the Regional Water Board on July 7, 2005, pursuant to CWC section 13267. Both cities fulfilled this requirement by August 31, 2008. The City of San Jose and the City of Santa Clara shall report sanitary sewer overflows electronically using the State Water Board's state-wide online reporting system.

In addition, the State Water Board amended the General Collection System WDR on February 20, 2008, in Order No. WQ 2008-0002-EXEC, to strengthen the notification and reporting requirements for sanitary sewer overflows. The Regional Water Board issued a 13267 letter on May 1, 2008, requiring dischargers to comply with the new notification requirements and to comply with similar notification and reporting requirements for spills from wastewater treatment facilities. This Order incorporates these notification and reporting requirements as requirements of this Order.

## 6. Other Special Provisions

### a. South Bay Action Plan (SBAP)

The Discharger shall implement a revised SBAP for compliance with Regional Water Board Resolution No. 91-152, which approved the Discharger's original "San Jose Action Plan" in lieu of a 120 MGD average dry weather effluent flow limitation. The revised SBAP shall include a description of current and planned water recycling and conservation programs, as well as a contingency plan in the event that effluent flow rates increase above 120 MGD. The Discharger shall update the SBAP annually, reporting on the previous year's accomplishments and the activities planned for the upcoming year, and shall submit the updated SBAP by February 28 of each year.

The SBAP shall contain:

- (1) **Water Conservation and Water Recycling Programs.** The Discharger shall continue to implement its water conservation, industrial recycling and reuse, and water recycling programs. Additionally, the Discharger shall maintain average dry weather effluent flow rates (determined to be the lowest average effluent flow for any three consecutive months between the months of May and October) below 120 MGD, or to those levels that will not affect rare and endangered species habitat.
- (2) **SBAP Contingency Plan.** Within the SBAP, the Discharger shall include a contingency plan with measures to be implemented if average dry weather effluent flow exceeds 120 MGD during the life of this permit. The contingency plan shall include a description of a planning effort to identify water recycling and conservation efforts the Discharger plans to implement over and above current levels of effort, in order to reduce flows below 120 MGD, or to levels that will not adversely impact endangered species habitat. Discharge impacts to habitat shall be evaluated using 1998 vegetative surveys as baseline, to determine impacts in excess of mitigation already provided by the Discharger. Upon discharge of an average dry weather effluent flow of 120 MGD, the Discharger shall implement immediately its Contingency Plan. Additionally, the Regional Water Board will allow the Discharger six months to propose a solution to reduce flows, or document that effluent flow increases are beyond the Discharger's control. This report may contain discussion of ecological factors believed to affect marsh conversion, not related to the Discharger's effluent.
- (3) **New Industry Requirements.** The Discharger shall continue to review development applications submitted to the San Jose and Santa Clara Planning Departments to address wastewater and recycled water issues related to business expansions and new development prior to any building permits being issued.

### b. Cyanide Action Plan

The Discharger shall implement monitoring and surveillance, pretreatment, source control and pollution prevention for cyanide in accordance with the following tasks and time schedule.

**Table 11. Cyanide Action Plan**

Task	Compliance Date
<p><b>(1) Review Potential Cyanide Contributors</b></p> <p>The Discharger shall submit an inventory of potential contributors of cyanide to the wastewater treatment facility (e.g., metal plating operations, hazardous waste recycling, etc.). If no contributors of cyanide are identified, Tasks 2 and 3 are not required, unless the Discharger receives a request to discharge detectable levels of cyanide to the sanitary sewer. If so, the Discharger shall notify the Executive Officer and implement Tasks (2) and (3).</p>	<p>Within 90 days of Order effective date</p>
<p><b>(2) Implement Cyanide Control Program</b></p> <p>The Discharger shall submit a plan for, and begin implementation of, a program to minimize cyanide discharges to the sanitary sewer system consisting, at a minimum, of the following elements:</p> <ul style="list-style-type: none"> <li>i. Inspect each potential contributor to assess the need to include that contributing source in the control program.</li> <li>ii. Inspect contributing sources included in the control program annually. Inspection elements may be based on USEPA guidance, such as Industrial User Inspection and Sampling Manual for POTWs (EPA 831-B-94-01).</li> <li>iii. Develop and distribute educational materials to contributing sources and potential contributing sources regarding the need to prevent cyanide discharges.</li> <li>iv. Prepare an emergency monitoring and response plan to be implemented if a significant cyanide discharge occurs.</li> <li>v. If ambient monitoring shows cyanide concentrations of 1.0 µg/L or higher in the main body of San Francisco Bay, undertake actions to identify and abate cyanide sources responsible for the elevated ambient concentrations.</li> </ul>	<p>February 28, 2010 with 2009 annual P2 report</p>
<p><b>(3) Report Status of Cyanide Control Program</b></p> <p>Submit a report to the Regional Water Board documenting implementation of the cyanide control program.</p>	<p>Annually with P2 reports due February 28</p>

**c. Copper Action Plan**

The Discharger shall implement pretreatment, source control, and pollution prevention for copper in accordance with the following tasks and time schedule.

**Table 12. Copper Action Plan**

Task	Compliance Date
<p><b>(1) Review Potential Copper Sources</b></p> <p>The Discharger shall submit an inventory of potential copper sources to the wastewater treatment facility.</p>	<p>Within 90 days of Order effective date</p>
<p><b>(2) Implement Copper Control Program</b></p> <p>The Discharger shall submit a plan for and begin implementation of a program to reduce copper discharges identified in Task (1) consisting, at a minimum, of the following elements:</p> <ul style="list-style-type: none"> <li>i. Provide education and outreach to the public (e.g., focus on proper pool</li> </ul>	<p>February 28, 2010 with 2009 annual P2 report</p>

Task	Compliance Date
<p>and spa maintenance and plumbers' roles in reducing corrosion).</p> <p>ii. If corrosion is determined to be a significant copper source, work cooperatively with local water purveyors to reduce and control water corrosivity, as appropriate, and ensure that local plumbing contractors implement best management practices to reduce corrosion in pipes.</p> <p>iii. Educate plumbers, designers, and maintenance contractors for pools and spas to encourage best management practices that minimize copper discharges.</p>	
<p><b>(3) Implement Additional Measures</b></p> <p>If the three-year rolling mean dissolved copper concentration of South Bay exceeds 4.2 µg/L, evaluate the effluent copper concentration trend, and if it is increasing, develop and implement additional measures to control copper discharges.</p>	Within 90 days of exceedance
<p><b>(4) Report Status of Copper Control Program</b></p> <p>Submit a report to the Regional Water Board documenting implementation of the copper control program.</p>	Annually with P2 reports due February 28

**d. Compliance Schedule for Dioxin-TEQ**

The following table outlines actions to be completed in order to meet the final limits for dioxin-TEQ.

**Table 13. Dioxin-TEQ Compliance Schedule**

Task	Deadline
<p>(1) The Discharger shall continue its semi-annual dioxin monitoring at monitoring point EFF-001 and comply with the reporting requirements contained in the MRP. The Discharger shall also comply with the following interim effluent limit: Dioxin-TEQ: MDEL = <math>6.3 \times 10^{-5}</math> µg/L</p>	Upon Order effective date
<p>(2) If dioxin-TEQ effluent monitoring data show that the Discharger is out of compliance, as described in Section 2.4.5, Compliance Determination, of the SIP, the Discharger shall submit a plan to identify dioxin-TEQ sources to the discharge and identify source control measures to reduce concentrations of these pollutants to the treatment plant, and therefore to receiving waters.</p>	No later than 12 months after dioxin-TEQ is determined out of compliance
<p>(3) Implement the plan developed in task (2), including both pollutant source identification and source control.</p>	Within 30 days of the deadline for task (2)
<p>(4) Submit a report that contains an inventory of the pollutant sources.</p>	No later than four months after the deadline for task (2)
<p>(5) Submit a report documenting development and initial implementation of a program to reduce and prevent the pollutants of concern in the discharge. The program shall consist, at a minimum, of the following elements:</p> <p>i. Maintain a list of sources of pollutants of concern.</p> <p>ii. Investigate each source to assess the need to include it in the program.</p> <p>iii. Identify and implement targeted actions to reduce or eliminate</p>	No later than six months after the deadline for task (2)

Task	Deadline
iv. Develop and distribute, as appropriate, educational materials regarding the need to prevent sources to the sewer system.	
(6) Continue to implement the program described in task (5) and submit annual status reports that evaluate its effectiveness and summarize planned changes. Report whether the program has successfully brought the discharge into compliance with the effluent limits in this Order.	Annually with P2 reports due February 28
(7) In the event that source control measures are insufficient for meeting final WQBELs specified in Effluent Limitations and Discharge Specifications IV.B for or dioxin-TEQ, the Discharger shall submit a schedule for implementation of additional actions to reduce the concentrations of these pollutants.	No later than 4 months after the most recent annual P2 report that identifies that additional actions are needed
(8) The Discharger shall commence implementation of the identified additional actions in accordance with the schedule submitted in task (7).	Within 45 days after the deadline for task (7)
(9) Full Compliance with IV.B Effluent Limitations and Discharger Specifications for dioxin-TEQ. Alternatively, the Discharger may comply with the limits through implementation of a mass offset strategy for dioxin-TEQ in accordance with policies in effect at that time.	June 1, 2019 (10 years from Order effective date)

## VII. COMPLIANCE DETERMINATION

Compliance with the effluent limitations contained in Section IV of this Order will be determined as specified below:

### A. General

Compliance with effluent limitations for priority pollutants shall be determined using sample reporting protocols defined in the MRP, Attachment A and Section VI of the Fact Sheet of this Order. For purposes of reporting and administrative enforcement by the Regional and State Water Boards, the Discharger shall be deemed out of compliance with effluent limitations if the concentration of the priority pollutant in the monitoring sample is greater than the effluent limitation and greater than or equal to the reporting level (RL).

### B. Multiple Sample Data

When determining compliance with an AMEL or MDEL for priority pollutants and more than one sample result is available, the Discharger shall compute the arithmetic mean unless the data set contains one or more reported determinations of "Detected, but Not Quantified" (DNQ) or "Not Detected" (ND). In those cases, the Discharger shall compute the median in place of the arithmetic mean in accordance with the following procedure:

1. The data set shall be ranked from low to high, ranking the reported ND determinations lowest, DNQ determinations next, followed by quantified values (if any). The order of the individual ND or DNQ determinations is unimportant.
2. The median value of the data set shall be determined. If the data set has an odd number of data points, then the median is the middle value. If the data set has an even number of data

points, then the median is the average of the two values around the middle unless one or both of the points are ND or DNQ, in which case the median value shall be the lower of the two data points where DNQ is lower than a value and ND is lower than DNQ.

## ATTACHMENT A – DEFINITIONS

**Arithmetic Mean ( $\mu$ )**, also called the average, is the sum of measured values divided by the number of samples. For ambient water concentrations, the arithmetic mean is calculated as follows:

$$\text{Arithmetic mean} = \mu = \Sigma x / n$$

where:  $\Sigma x$  is the sum of the measured ambient water concentrations, and  $n$  is the number of samples.

**Average Monthly Effluent Limitation (AMEL)**: the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.

**Average Weekly Effluent Limitation (AWEL)**: the highest allowable average of daily discharges over a calendar week (Sunday through Saturday), calculated as the sum of all daily discharges measured during a calendar week divided by the number of daily discharges measured during that week.

**Bioaccumulative** pollutants are those substances taken up by an organism from its surrounding medium through gill membranes, epithelial tissue, or from food and subsequently concentrated and retained in the body of the organism.

**Carcinogenic** pollutants are substances that are known to cause cancer in living organisms.

**Coefficient of Variation (CV)** is a measure of the data variability and is calculated as the estimated standard deviation divided by the arithmetic mean of the observed values.

**Daily Discharge**: Daily Discharge is defined as either: (1) the total mass of the constituent discharged over the calendar day (12:00 am through 11:59 pm) or any 24-hour period that reasonably represents a calendar day for purposes of sampling (as specified in the Order), for a constituent with limitations expressed in units of mass or; (2) the unweighted arithmetic mean measurement of the constituent over the day for a constituent with limitations expressed in other units of measurement (e.g., concentration).

The daily discharge may be determined by the analytical results of a composite sample taken over the course of one day (a calendar day or other 24-hour period defined as a day) or by the arithmetic mean of analytical results from one or more grab samples taken over the course of the day.

For composite sampling, if 1 day is defined as a 24-hour period other than a calendar day, the analytical result for the 24-hour period will be considered as the result for the calendar day in which the 24-hour period ends.

**Detected, but Not Quantified (DNQ)** are those sample results less than the RL, but greater than or equal to the laboratory's MDL.

**Dilution Credit** is the amount of dilution granted to a discharge in the calculation of a water quality-based effluent limitation, based on the allowance of a specified mixing zone. It is calculated from the dilution ratio or determined through conducting a mixing zone study or modeling of the discharge and receiving water.

**Effluent Concentration Allowance (ECA)** is a value derived from the water quality criterion/objective, dilution credit, and ambient background concentration that is used, in conjunction with the coefficient of variation for the effluent monitoring data, to calculate a long-term average (LTA) discharge concentration. The ECA has the same meaning as waste load allocation (WLA) as used in USEPA guidance (Technical Support Document For Water Quality-based Toxics Control, March 1991, second printing, EPA/505/2-90-001).

**Enclosed Bays** means indentations along the coast that enclose an area of oceanic water within distinct headlands or harbor works. Enclosed bays include all bays where the narrowest distance between the headlands or outermost harbor works is less than 75 percent of the greatest dimension of the enclosed portion of the bay. Enclosed bays include, but are not limited to, Humboldt Bay, Bodega Harbor, Tomales Bay, Drake's Estero, San Francisco Bay, Morro Bay, Los Angeles-Long Beach Harbor, Upper and Lower Newport Bay, Mission Bay, and San Diego Bay. Enclosed bays do not include inland surface waters or ocean waters.

**Estimated Chemical Concentration** is the estimated chemical concentration that results from the confirmed detection of the substance by the analytical method below the ML value.

**Estuaries** means waters, including coastal lagoons, located at the mouths of streams that serve as areas of mixing for fresh and ocean waters. Coastal lagoons and mouths of streams that are temporarily separated from the ocean by sandbars shall be considered estuaries. Estuarine waters shall be considered to extend from a bay or the open ocean to a point upstream where there is no significant mixing of fresh water and seawater. Estuarine waters included, but are not limited to, the Sacramento-San Joaquin Delta, as defined in Water Code section 12220, Suisun Bay, Carquinez Strait downstream to the Carquinez Bridge, and appropriate areas of the Smith, Mad, Eel, Noyo, Russian, Klamath, San Diego, and Otay rivers. Estuaries do not include inland surface waters or ocean waters.

**Inland Surface Waters** are all surface waters of the State that do not include the ocean, enclosed bays, or estuaries.

**Instantaneous Maximum Effluent Limitation:** the highest allowable value for any single grab sample or aliquot (i.e., each grab sample or aliquot is independently compared to the instantaneous maximum limitation).

**Instantaneous Minimum Effluent Limitation:** the lowest allowable value for any single grab sample or aliquot (i.e., each grab sample or aliquot is independently compared to the instantaneous minimum limitation).

**Maximum Daily Effluent Limitation (MDEL)** means the highest allowable daily discharge of a pollutant, over a calendar day (or 24-hour period). For pollutants with limitations expressed in units of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the daily discharge is calculated as the arithmetic mean measurement of the pollutant over the day.

**Median** is the middle measurement in a set of data. The median of a set of data is found by first arranging the measurements in order of magnitude (either increasing or decreasing order). If the number of measurements ( $n$ ) is odd, then the median =  $X_{(n+1)/2}$ . If  $n$  is even, then the median =  $(X_{n/2} + X_{(n/2)+1})/2$  (i.e., the midpoint between the  $n/2$  and  $n/2+1$ ).

**Method Detection Limit (MDL)** is the minimum concentration of a substance that can be measured and reported with 99 percent confidence that the analyte concentration is greater than zero, as defined in title 40 of the Code of Federal Regulations, Part 136, Attachment B, revised as of July 3, 1999.

**Minimum Level (ML)** is the concentration at which the entire analytical system must give a recognizable signal and acceptable calibration point. The ML is the concentration in a sample that is equivalent to the concentration of the lowest calibration standard analyzed by a specific analytical procedure, assuming that all the method specified sample weights, volumes, and processing steps have been followed.

**Mixing Zone** is a limited volume of receiving water that is allocated for mixing with a wastewater discharge where water quality criteria can be exceeded without causing adverse effects to the overall water body.

**Not Detected (ND)** are those sample results less than the laboratory's MDL.

**Ocean Waters** are the territorial marine waters of the State as defined by California law to the extent these waters are outside of enclosed bays, estuaries, and coastal lagoons. Discharges to ocean waters are regulated in accordance with the State Water Board's California Ocean Plan.

**Persistent** pollutants are substances for which degradation or decomposition in the environment is nonexistent or very slow.

**Pollutant Minimization Program (PMP)** means waste minimization and pollution prevention actions that include, but are not limited to, product substitution, waste stream recycling, alternative waste management methods, and education of the public and businesses. The goal of the PMP shall be to reduce all potential sources of a priority pollutant(s) through pollutant minimization (control) strategies, including pollution prevention measures as appropriate, to maintain the effluent concentration at or below the water quality-based effluent limitation. Pollution prevention measures may be particularly appropriate for persistent bioaccumulative priority pollutants where there is evidence that beneficial uses are being impacted. The Regional Water Board may consider cost effectiveness when establishing the requirements of a PMP. The completion and implementation of a Pollution Prevention Plan, if required pursuant to Water Code section 13263.3(d), shall be considered to fulfill the PMP requirements.

**Pollution Prevention** means any action that causes a net reduction in the use or generation of a hazardous substance or other pollutant that is discharged into water and includes, but is not limited to, input change, operational improvement, production process change, and product reformulation (as defined in Water Code section 13263.3). Pollution prevention does not include actions that merely shift a pollutant in wastewater from one environmental medium to another environmental medium, unless clear environmental benefits of such an approach are identified to the satisfaction of the State or Regional Water Board.

**Reporting Level (RL)** is the ML (and its associated analytical method) chosen by the Discharger for reporting and compliance determination from the MLs included in this Order. The MLs included in this Order correspond to approved analytical methods for reporting a sample result that are selected by the Regional Water Board either from Appendix 4 of the SIP in accordance with section 2.4.2 of the SIP or established in accordance with section 2.4.3 of the SIP. The ML is based on the proper application of method-based analytical procedures for sample preparation and the absence of any matrix interferences. Other factors may be applied to the ML depending on the specific sample preparation steps employed.

For example, the treatment typically applied in cases where there are matrix-effects is to dilute the sample or sample aliquot by a factor of ten. In such cases, this additional factor must be applied to the ML in the computation of the RL.

**Satellite Collection System** is the portion, if any, of a sanitary sewer system owned or operated by a different public agency than the agency that owns and operates the wastewater treatment facility that a sanitary sewer system is tributary to.

**Source of Drinking Water** is any water designated as municipal or domestic supply (MUN) in a Regional Water Board Basin Plan.

**Standard Deviation ( $\sigma$ )** is a measure of variability that is calculated as follows:

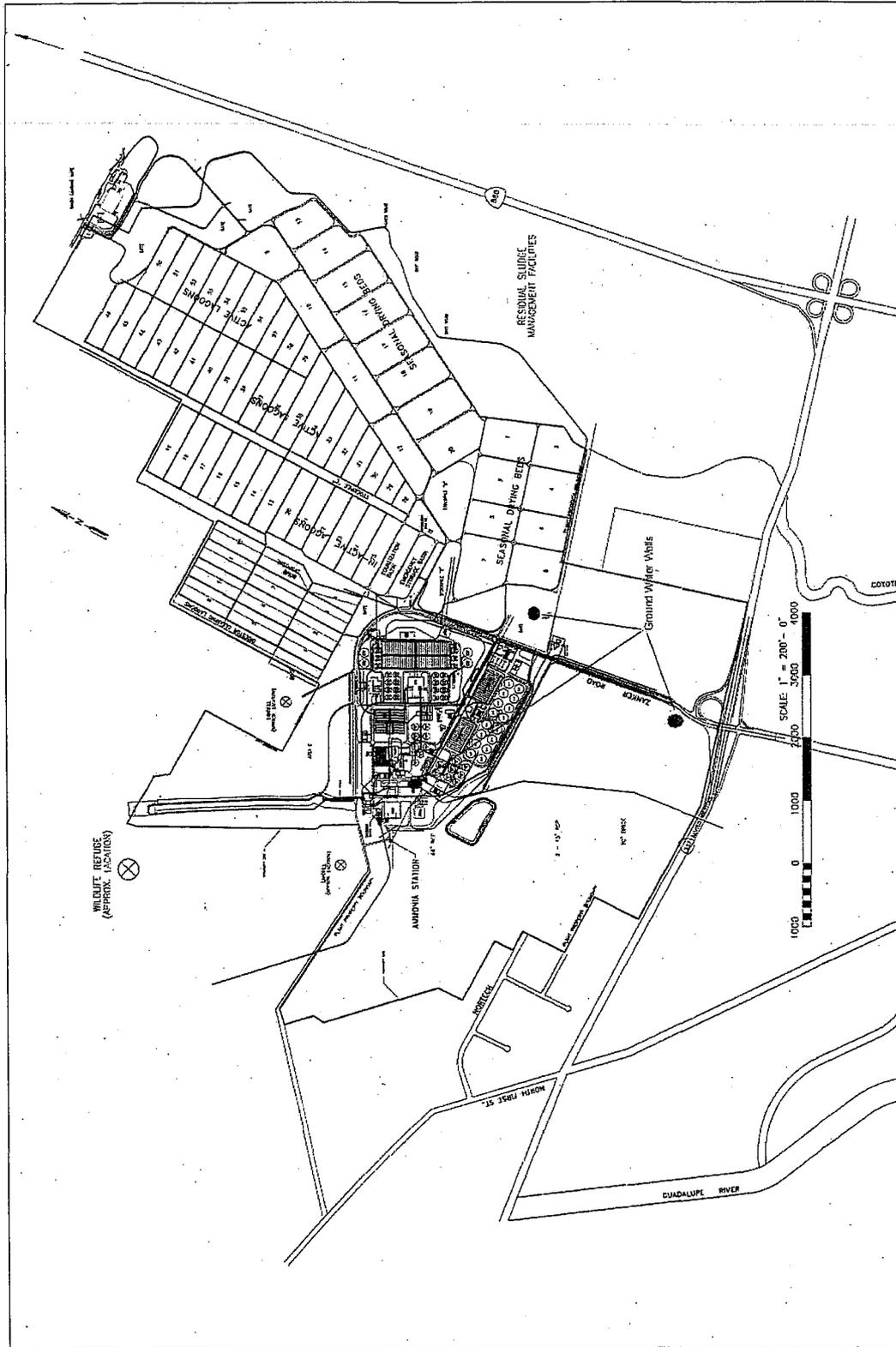
$$\sigma = (\sum[(x - \mu)^2]/(n - 1))^{0.5}$$

where:

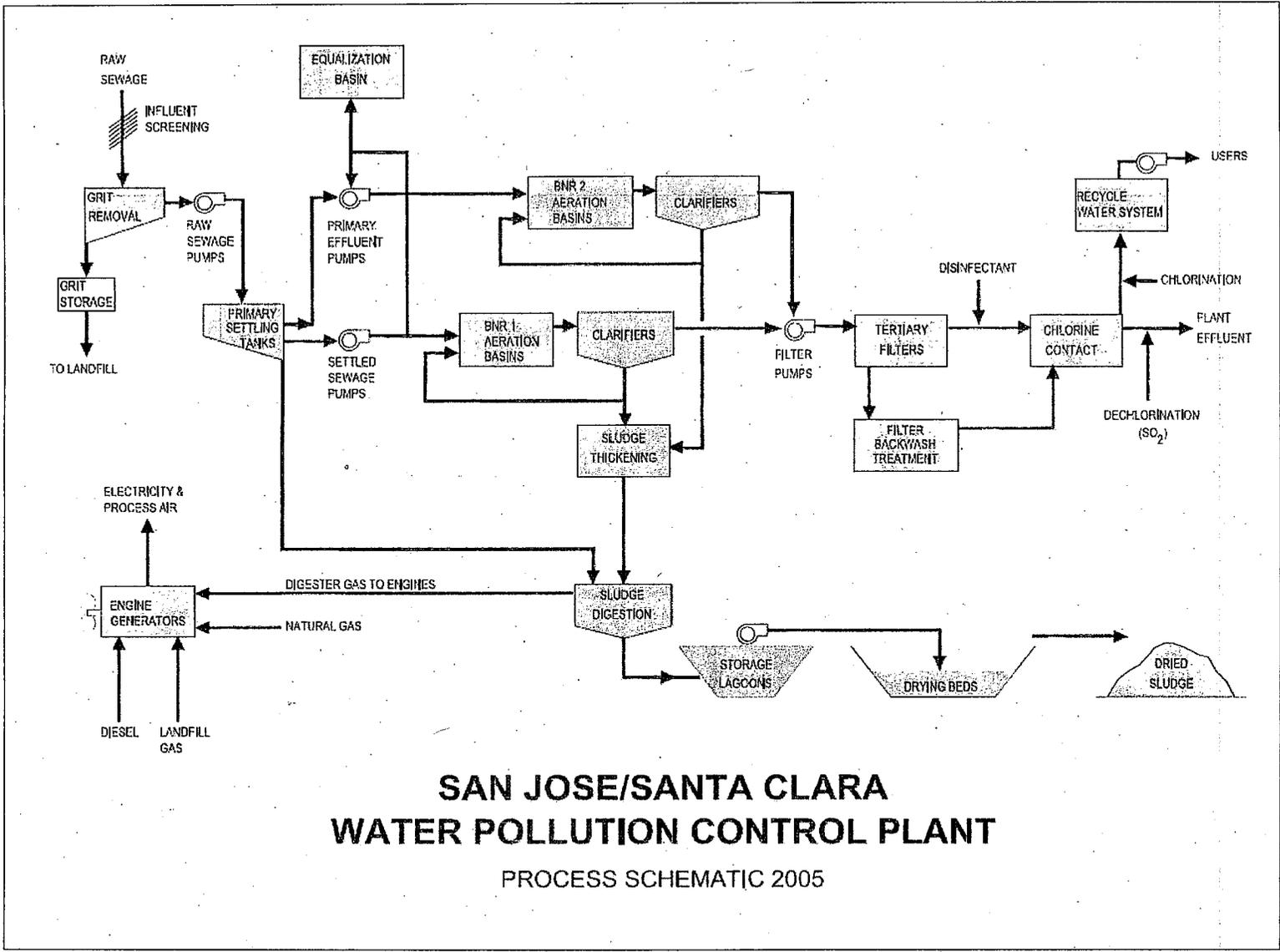
- x is the observed value;
- $\mu$  is the arithmetic mean of the observed values; and
- n is the number of samples.

**Toxicity Reduction Evaluation (TRE)** is a study conducted in a step-wise process designed to identify the causative agents of effluent or ambient toxicity, isolate the sources of toxicity, evaluate the effectiveness of toxicity control options, and then confirm the reduction in toxicity. The first steps of the TRE consist of the collection of data relevant to the toxicity, including additional toxicity testing, and an evaluation of facility operations and maintenance practices, and best management practices. A Toxicity Identification Evaluation (TIE) may be required as part of the TRE, if appropriate. (A TIE is a set of procedures to identify the specific chemical(s) responsible for toxicity. These procedures are performed in three phases (characterization, identification, and confirmation) using aquatic organism toxicity tests.)

**ATTACHMENT B – FACILITY MAP**



ATTACHMENT C - PROCESS FLOW DIAGRAM



## ATTACHMENT D – STANDARD PROVISIONS

### I. STANDARD PROVISIONS – PERMIT COMPLIANCE

#### A. Duty to Comply

1. The Discharger must comply with all of the conditions of this Order. Any noncompliance constitutes a violation of the Clean Water Act (CWA) and the CWC and is grounds for enforcement action, for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application. (40 C.F.R. § 122.41(a).)
2. The Discharger shall comply with effluent standards or prohibitions established under Section 307(a) of the CWA for toxic pollutants and with standards for sewage sludge use or disposal established under Section 405(d) of the CWA within the time provided in the regulations that establish these standards or prohibitions, even if this Order has not yet been modified to incorporate the requirement. (40 C.F.R. § 122.41(a)(1).)

#### B. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for a Discharger in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this Order. (40 C.F.R. § 122.41(c).)

#### C. Duty to Mitigate

The Discharger shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this Order that has a reasonable likelihood of adversely affecting human health or the environment. (40 C.F.R. § 122.41(d).)

#### D. Proper Operation and Maintenance

The Discharger shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Discharger to achieve compliance with the conditions of this Order. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems that are installed by a Discharger only when necessary to achieve compliance with the conditions of this Order (40 C.F.R. § 122.41(e)).

#### E. Property Rights

1. This Order does not convey any property rights of any sort or any exclusive privileges. (40 C.F.R. § 122.41(g).)
2. The issuance of this Order does not authorize any injury to persons or property or invasion of other private rights, or any infringement of state or local law or regulations. (40 C.F.R. § 122.5(c).)

#### F. Inspection and Entry

The Discharger shall allow the Regional Water Board, State Water Board, United States Environmental Protection Agency (USEPA), and/or their authorized representatives (including an authorized contractor acting as their representative), upon the presentation of credentials and other documents, as may be required by law, to (40 C.F.R. § 122.41(i); Wat. Code, § 13383):

1. Enter upon the Discharger's premises where a regulated facility or activity is located or conducted, or where records are kept under the conditions of this Order (40 C.F.R. § 122.41(i)(1));
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order (40 C.F.R. § 122.41(i)(2));
3. Inspect and photograph, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order (40 C.F.R. § 122.41(i)(3)); and
4. Sample or monitor, at reasonable times, for the purposes of assuring Order compliance or as otherwise authorized by the CWA or the Water Code, any substances or parameters at any location. (40 C.F.R. § 122.41(i)(4).)

#### **G. Bypass**

1. Definitions
  - a. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility. (40 C.F.R. § 122.41(m)(1)(i).)
  - b. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities, which causes them to become inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production. (40 C.F.R. § 122.41(m)(1)(ii).)
2. Bypass not exceeding limitations. The Discharger may allow any bypass to occur which does not cause exceedances of effluent limitations, but only if it is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions listed in Standard Provisions – Permit Compliance I.G.3, I.G.4, and I.G.5 below. (40 C.F.R. § 122.41(m)(2).)
3. Prohibition of bypass. Bypass is prohibited, and the Regional Water Board may take enforcement action against a Discharger for bypass, unless (40 C.F.R. § 122.41(m)(4)(i)):
  - a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage (40 C.F.R. § 122.41(m)(4)(i)(A));
  - b. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance (40 C.F.R. § 122.41(m)(4)(i)(B)); and

- c. The Discharger submitted notice to the Regional Water Board as required under Standard Provisions – Permit Compliance I.G.5 below. (40 C.F.R. § 122.41(m)(4)(i)(C).)
4. The Regional Water Board may approve an anticipated bypass, after considering its adverse effects, if the Regional Water Board determines that it will meet the three conditions listed in Standard Provisions – Permit Compliance I.G.3 above. (40 C.F.R. § 122.41(m)(4)(ii).)
5. Notice
  - a. Anticipated bypass. If the Discharger knows in advance of the need for a bypass, it shall submit a notice, if possible at least 10 days before the date of the bypass. (40 C.F.R. § 122.41(m)(3)(i).)
  - b. Unanticipated bypass. The Discharger shall submit notice of an unanticipated bypass as required in Standard Provisions - Reporting V.E below (24-hour notice). (40 C.F.R. § 122.41(m)(3)(ii).)

#### **H. Upset**

Upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the Discharger. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation. (40 C.F.R. § 122.41(n)(1).)

1. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of Standard Provisions – Permit Compliance I.H.2 below are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review. (40 C.F.R. § 122.41(n)(2).)
2. Conditions necessary for a demonstration of upset. A Discharger who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence that (40 C.F.R. § 122.41(n)(3)):
  - a. An upset occurred and that the Discharger can identify the cause(s) of the upset (40 C.F.R. § 122.41(n)(3)(i));
  - b. The permitted facility was, at the time, being properly operated (40 C.F.R. § 122.41(n)(3)(ii));
  - c. The Discharger submitted notice of the upset as required in Standard Provisions – Reporting V.E.2.b below (24-hour notice) (40 C.F.R. § 122.41(n)(3)(iii)); and
  - d. The Discharger complied with any remedial measures required under Standard Provisions – Permit Compliance I.C above. (40 C.F.R. § 122.41(n)(3)(iv).)

3. Burden of proof. In any enforcement proceeding, the Discharger seeking to establish the occurrence of an upset has the burden of proof. (40 C.F.R. § 122.41(n)(4).)

## II. STANDARD PROVISIONS – PERMIT ACTION

### A. General

This Order may be modified, revoked and reissued, or terminated for cause. The filing of a request by the Discharger for modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any Order condition. (40 C.F.R. § 122.41(f).)

### B. Duty to Reapply

If the Discharger wishes to continue an activity regulated by this Order after the expiration date of this Order, the Discharger must apply for and obtain a new permit. (40 C.F.R. § 122.41(b).)

### C. Transfers

This Order is not transferable to any person except after notice to the Regional Water Board. The Regional Water Board may require modification or revocation and reissuance of this Order to change the name of the Discharger and incorporate such other requirements as may be necessary under the CWA and the Water Code. (40 C.F.R. § 122.41(l)(3); § 122.61.)

## III. STANDARD PROVISIONS – MONITORING

- A. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. (40 C.F.R. § 122.41(j)(1).)
- B. Monitoring results must be conducted according to test procedures under Part 136 or, in the case of sludge use or disposal, approved under Part 136 unless otherwise specified in Part 503 unless other test procedures have been specified in this Order. (40 C.F.R. § 122.41(j)(4); § 122.44(i)(1)(iv).)

## IV. STANDARD PROVISIONS – RECORDS

- A. Except for records of monitoring information required by this Order related to the Discharger's sewage sludge use and disposal activities, which shall be retained for a period of at least five years (or longer as required by Part 503), the Discharger shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Order, and records of all data used to complete the application for this Order, for a period of at least three (3) years from the date of the sample, measurement, report or application. This period may be extended by request of the Regional Water Board Executive Officer at any time. (40 C.F.R. § 122.41(j)(2).)
- B. Records of monitoring information shall include:
  1. The date, exact place, and time of sampling or measurements (40 C.F.R. § 122.41(j)(3)(i));
  2. The individual(s) who performed the sampling or measurements (40 C.F.R. § 122.41(j)(3)(ii));
  3. The date(s) analyses were performed (40 C.F.R. § 122.41(j)(3)(iii));

4. The individual(s) who performed the analyses (40 C.F.R. § 122.41(j)(3)(iv));
5. The analytical techniques or methods used (40 C.F.R. § 122.41(j)(3)(v)); and
6. The results of such analyses. (40 C.F.R. § 122.41(j)(3)(vi).)

**C. Claims of confidentiality for the following information will be denied (40 C.F.R. § 122.7(b)):**

1. The name and address of any permit applicant or Discharger (40 C.F.R. § 122.7(b)(1)); and
2. Permit applications and attachments, permits and effluent data. (40 C.F.R. § 122.7(b)(2).)

**V. STANDARD PROVISIONS – REPORTING**

**A. Duty to Provide Information**

The Discharger shall furnish to the Regional Water Board, State Water Board, or USEPA within a reasonable time, any information which the Regional Water Board, State Water Board, or USEPA may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Order or to determine compliance with this Order. Upon request, the Discharger shall also furnish to the Regional Water Board, State Water Board, or USEPA copies of records required to be kept by this Order. (40 C.F.R. § 122.41(h); Wat. Code, § 13267.)

**B. Signatory and Certification Requirements**

1. All applications, reports, or information submitted to the Regional Water Board, State Water Board, and/or USEPA shall be signed and certified in accordance with Standard Provisions – Reporting V.B.2, V.B.3, V.B.4, and V.B.5 below. (40 C.F.R. § 122.41(k))
2. All permit applications shall be signed by either a principal executive officer or ranking elected official. For purposes of this provision, a principal executive officer of a federal agency includes: (i) the chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of USEPA). (40 C.F.R. § 122.22(a)(3)).
3. All reports required by this Order and other information requested by the Regional Water Board, State Water Board, or USEPA shall be signed by a person described in Standard Provisions – Reporting V.B.2 above, or by a duly authorized representative of that person. A person is a duly authorized representative only if:
  - a. The authorization is made in writing by a person described in Standard Provisions – Reporting V.B.2 above (40 C.F.R. § 122.22(b)(1));
  - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.) (40 C.F.R. § 122.22(b)(2));and

- c. The written authorization is submitted to the Regional Water Board and State Water Board. (40 C.F.R. § 122.22(b)(3).)
4. If an authorization under Standard Provisions – Reporting V.B.3 above is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Standard Provisions – Reporting V.B.3 above must be submitted to the Regional Water Board and State Water Board prior to or together with any reports, information, or applications, to be signed by an authorized representative. (40 C.F.R. § 122.22(c).)
5. Any person signing a document under Standard Provisions – Reporting V.B.2 or V.B.3 above shall make the following certification:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.” (40 C.F.R. § 122.22(d).)

#### **C. Monitoring Reports**

1. Monitoring results shall be reported at the intervals specified in the Monitoring and Reporting Program (Attachment E) in this Order. (40 C.F.R. § 122.22(l)(4).)
2. Monitoring results must be reported on a Discharge Monitoring Report (DMR) form or forms provided or specified by the Regional Water Board or State Water Board for reporting results of monitoring of sludge use or disposal practices. (40 C.F.R. § 122.41(l)(4)(i).)
3. If the Discharger monitors any pollutant more frequently than required by this Order using test procedures approved under Part 136 or, in the case of sludge use or disposal, approved under Part 136 unless otherwise specified in Part 503, or as specified in this Order, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or sludge reporting form specified by the Regional Water Board. (40 C.F.R. § 122.41(l)(4)(ii).)
4. Calculations for all limitations, which require averaging of measurements, shall utilize an arithmetic mean unless otherwise specified in this Order. (40 C.F.R. § 122.41(l)(4)(iii).)

#### **D. Compliance Schedules**

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this Order, shall be submitted no later than 14 days following each schedule date. (40 C.F.R. § 122.41(l)(5).)

#### **E. Twenty-Four Hour Reporting**

1. The Discharger shall report any noncompliance that may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the Discharger

becomes aware of the circumstances. A written submission shall also be provided within five (5) days of the time the Discharger becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. (40 C.F.R. § 122.41(l)(6)(i).)

2. The following shall be included as information that must be reported within 24 hours under this paragraph (40 C.F.R. § 122.41(l)(6)(ii)):
  - a. Any unanticipated bypass that exceeds any effluent limitation in this Order. (40 C.F.R. § 122.41(l)(6)(ii)(A).)
  - b. Any upset that exceeds any effluent limitation in this Order. (40 C.F.R. § 122.41(l)(6)(ii)(B).)
3. The Regional Water Board may waive the above-required written report under this provision on a case-by-case basis if an oral report has been received within 24 hours. (40 C.F.R. § 122.41(l)(6)(iii).)

#### **F. Planned Changes**

The Discharger shall give notice to the Regional Water Board as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required under this provision only when (40 C.F.R. § 122.41(l)(1)):

1. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in section 122.29(b) (40 C.F.R. § 122.41(l)(1)(i)); or
2. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants that are not subject to effluent limitations in this Order. (40 C.F.R. § 122.41(l)(1)(ii).)
3. The alteration or addition results in a significant change in the Discharger's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan. (40 C.F.R. § 122.41(l)(1)(iii).)

#### **G. Anticipated Noncompliance**

The Discharger shall give advance notice to the Regional Water Board or State Water Board of any planned changes in the permitted facility or activity that may result in noncompliance with General Order requirements. (40 C.F.R. § 122.41(l)(2).)

#### **H. Other Noncompliance**

The Discharger shall report all instances of noncompliance not reported under Standard Provisions – Reporting V.C, V.D, and V.E above at the time monitoring reports are submitted.

The reports shall contain the information listed in Standard Provision – Reporting V.E above.  
(40 C.F.R. § 122.41(1)(7).)

**I. Other Information**

When the Discharger becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Regional Water Board, State Water Board, or USEPA, the Discharger shall promptly submit such facts or information. (40 C.F.R. § 122.41(1)(8).)

**VI. STANDARD PROVISIONS – ENFORCEMENT**

The Regional Water Board is authorized to enforce the terms of this Order under several provisions of the Water Code, including, but not limited to, sections 13385, 13386, and 13387.

**VII. ADDITIONAL PROVISIONS – NOTIFICATION LEVELS**

All POTWs shall provide adequate notice to the Regional Water Board of the following (40 C.F.R. § 122.42(b)):

1. Any new introduction of pollutants into the POTW from an indirect discharger that would be subject to sections 301 or 306 of the CWA if it were directly discharging those pollutants (40 C.F.R. § 122.42(b)(1)); and
2. Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of adoption of this Order. (40 C.F.R. § 122.42(b)(2).)
3. Adequate notice shall include information on the quality and quantity of effluent introduced into the POTW as well as any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW. (40 C.F.R. § 122.42(b)(3).)

## ATTACHMENT E – MONITORING AND REPORTING PROGRAM

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## ATTACHMENT E – MONITORING AND REPORTING PROGRAM (MRP)

40 CFR 122.48 requires that all NPDES permits specify monitoring and reporting requirements. Water Code sections 13267 and 13383 also authorize the Regional Water Board to require technical and monitoring reports. This MRP establishes monitoring and reporting requirements, which implement the federal and California regulations.

### I. GENERAL MONITORING PROVISIONS

- A. The Discharger shall comply with the MRP for this Order as adopted by the Regional Water Board, and with all of the requirements contained in Self-Monitoring Program, Part A, dated August 1993 (SMP, Attachment G). The MRP and SMP may be amended by the Executive Officer pursuant to 40 CFR 122.62, 122.63, and 124.5. If any discrepancies exist between the MRP and SMP, the MRP prevails.
- B. All analyses shall be conducted using current USEPA methods, or methods that have been approved by the USEPA Regional Administrator pursuant to 40 CFR 136.4 and 40 CFR 136.5, or equivalent methods that are commercially and reasonably available and that provide quantification of sampling parameters and constituents sufficient to evaluate compliance with applicable effluent limits and to perform reasonable potential analysis. Equivalent methods must be more sensitive than those specified in 40 CFR 136, must be specified in the permit, and must be approved for use by the Executive Officer, following consultation with the State Water Board's Quality Assurance Program.
- C. Sampling and analysis of additional constituents is required pursuant to Table 1 of the Regional Water Board's August 6, 2001, Letter titled *Requirement for Monitoring of Pollutants in Effluent and Receiving Water to Implement New Statewide Regulations and Policy* (Attachment G).
- D. Laboratories analyzing monitoring samples shall be certified by the Department of Health Services, in accordance with Water Code section 13176, and must include quality assurance/quality control data with their reports.
- E. For compliance and reasonable potential monitoring, analyses shall be conducted using commercially available and reasonably achievable detection levels that are lower than the WQOs/WQC or the effluent limitations, whichever are lower. The objective is to provide quantification of constituents sufficient to allow evaluation of observed concentrations with respect to the Minimum Levels given below. Table E-1 lists the test methods the Discharger may use for compliance and reasonable potential monitoring for the toxic pollutants with effluent limits.

**Table E-1. Test Methods and Minimum Levels for Pollutants with Reasonable Potential**

CTR #	Constituent	Types of Analytical Methods <sup>(1)</sup>											
		Minimum Levels (µg/L)											
		GC	GCMS	LC	Color	FAA	GFAA	ICP	ICPMS	SPGFAA	HYDRIDE	CVAF	DCP
6	Copper						5		0.5	2			
9	Nickel						5	20	1	5			
14	Cyanide				5								
	Dioxin-TEQ <sup>(2)</sup>												
117	Heptachlor	0.01											
---	Tributyltin <sup>(3)</sup>	0.005											

**Footnotes for Table E-1:**

(1) Analytical Methods / Laboratory techniques are defined as follows:

- Color = Colorimetric;
- CVAF = Cold Vapor Atomic Fluorescence.
- DCP = Direct Current Plasma
- FAA = Furnace Atomic Absorption;
- GC = Gas Chromatography
- GCMS = Gas Chromatography Mass Spectroscopy
- GFAA = Graphite Furnace Atomic Absorption;
- ICP = Inductively Coupled Plasma
- ICPMS = Inductively Coupled Plasma/Mass Spectrometry;
- LC = Liquid Chromatography
- SPGFAA = Stabilized Platform Graphite Furnace Atomic Absorption (i.e. EPA 200.9)

(2) Use USEPA Method 1613. MLs shall be those specified by Table 8 of this Order for each congener.

(3) Analysis of tributyltin shall be by GC-FPD, GS-MS, or a USEPA approved method; the method shall be capable of speciating organotins and have limits of detection for tributyltin of 5 nanograms per liter (ng/L). Alternative methods of analysis must be approved by the Executive Officer.

**II. MONITORING LOCATIONS**

The Discharger shall establish the following monitoring locations to demonstrate compliance with the effluent limitations, discharge specifications, and other requirements in this Order.

**Table E-2. Monitoring Station Locations**

Type of Sampling Location	Monitoring Location Name	Monitoring Location Description
Influent	INF-001	At any point in the treatment facility headworks at which all waste tributary to the treatment system is present, and proceeding any phase of treatment.
Effluent	EFF-001	At any point in the outfall from the treatment facility, following treatment, including disinfection, and before contact with receiving water, where all waste streams tributary to Discharge Point 001 are present.

### III. INFLUENT MONITORING REQUIREMENTS

The Discharger shall monitor influent to the facility at INF-001 as follows.

**Table E-3. Influent Monitoring**

Parameter	Units	Sample Type	Minimum Sampling Frequency
Flow <sup>(1)</sup>	MGD/MG	Cont/D	Cont
CBOD <sub>5</sub> <sup>(2)</sup>	mg/L	C-24	1/week
	kg/day	calculate	1/week
TSS	mg/L	C-24	1/week
	kg/day	calculate	1/week
Cyanide	µg/L	Grab	1/month

**Legends for Table E-3**

(1) Unit Abbreviations

- MGD = million gallons per day
- MG = million gallons
- mg/L = milligrams per liter
- kg/day = kilograms per day
- µg/L = micrograms per liter

(2) Sample type

- Cont = continuous monitoring
- Cont/D = measured continuously and recorded and reported daily
- C-24 = 24-hour composite

(3) Sampling frequency

- 1/week = once per week
- 1/month = once per month

**Footnotes for Table E-3:**

- (1) Flows shall be monitored continuously and the following shall be reported in monthly self-monitoring reports:
  - a. Daily average flow rate (MGD).
  - b. Daily total flow volume (MG).
  - c. Monthly average flow rate (MGD).
  - d. Monthly total flow volume (MG).
  - e. Average daily maximum and average daily minimum flow rates (MGD) in a month.
- (2) The Discharger may elect to monitor CBOD as BOD, as defined in the latest edition of *Standard Methods for the Examination of Water and Wastewater*.

### IV. EFFLUENT MONITORING REQUIREMENTS

The Discharger shall monitor treated effluent discharged from the Plant at EFF-001 as follows.

**Table E-4. Effluent Monitoring**

Parameter	Units	Sample Type	Minimum Sampling Frequency
Flow Rate <sup>(1)</sup>	MGD/MG	Cont/D	Cont
CBOD <sub>5</sub> <sup>(2)</sup>	mg/L	C-24	1/week
	kg/day	calculate	1/week
TSS	mg/L	C-24	1/week
	kg/day	calculate	1/week

Parameter	Units	Sample Type	Minimum Sampling Frequency
CBOD <sub>5</sub> and TSS percent removal <sup>(3)</sup>	%	calculate	1/month
pH <sup>(4)</sup>	s.u.	Grab	1/day
Oil and Grease <sup>(5)</sup>	mg/L	Grab composites	1/quarter
	kg/day	calculate	1/quarter
Turbidity	NTU	Grab	1/day
Total Chlorine Residual <sup>(6)</sup>	mg/L	Cont/H	1/hour
	kg/day	calculate	1/hour
Enterococcus Bacteria	cfu/100 mL	Grab	5/week
Temperature	°C	Grab	1/day
Dissolved Oxygen	mg/L	Grab	1/day
	% Saturation	Grab	1/day
Dissolved Sulfides (if DO < 5 mg/L)	mg/L	Grab	1/day
Total Ammonia	mg/L as N	C-24	1/month
	kg/day as N	calculate	1/month
Unionized Ammonia	mg/L as N	calculate	1/month
Acute Toxicity <sup>(7)</sup>	% survival	Flow through	1/month
Chronic Toxicity <sup>(8)</sup>	TUc	C-24	1/month
Copper	µg/L	C-24	1/month
Nickel	µg/L	C-24	1/month
Cyanide	µg/L	Grab	1/month
Dioxin-TEQ <sup>(9)</sup>	µg/L	Grab	2/year
Heptachlor <sup>(10)</sup>	µg/L	Grab	1/quarter
Tributyltin <sup>(10)</sup>	µg/L	Grab	1/quarter
Remaining Priority Pollutants <sup>(11)</sup>	µg/L	(11)	2/year
Standard Observations <sup>(12)</sup>	---	---	1/week

**Legends for Table E-4:**

(1) Unit Abbreviations

- MGD = million gallons per day
- MG = million gallons
- mg/L = milligrams per liter
- µg/L = micrograms per liter
- s.u. = standard units
- NTU = Nephelometric turbidity units
- ml/L-hr = milliliters per liter, per hour
- kg/day = kilograms per day
- °C = degrees Celsius
- cfu/100 mL = colony-forming units per 100 milliliters
- TUc = chronic toxic units

(2) Sample Type Abbreviations

- Cont = measured continuously
- Cont/D = measured continuously, and recorded and reported daily
- Cont/H = measured continuously, and recorded and reported hourly
- C-24 = 24-hour composite
- Flow-through = continuously pumped sample during duration of toxicity test

(3) Sampling frequency

- 1/hour = once per hour
- 1/day = once per day

5/week	= five times per week
1/week	= once per week
1/month	= once per month
1/quarter	= once per quarter
2/year	= twice per year

**Footnotes for Table E-4:**

- (1) **Flow.** Flows shall be monitored continuously and the following shall be reported in monthly self-monitoring reports:
  - a. Daily average flow rate (MGD),
  - b. Daily total flow volume (MG),
  - c. Monthly average flow rate (MGD),
  - d. Monthly total flow volume (MG), and
  - e. Average daily maximum and average daily minimum flow rates (MGD) in a month.
- (2) The Discharger may elect to monitor CBOD as BOD, as defined in the latest edition of *Standard Methods for the Examination of Water and Wastewater*.
- (3) **CBOD<sub>5</sub> and TSS.** The percent removal for CBOD<sub>5</sub> and TSS shall be reported for each calendar month in accordance with Effluent Limitation IV.A.2. Samples for CBOD<sub>5</sub> and TSS shall be collected simultaneously with influent samples.
- (4) **pH.** If pH is monitored continuously; the minimum and maximum pH values for each day shall be reported in monthly self-monitoring reports.
- (5) **Oil and Grease.** Each oil and grease sampling event shall consist of a composite sample comprised of three grab samples taken at equal intervals during the sampling date, with each grab sample being collected in a glass container. The grab samples shall be mixed in proportion to the instantaneous flow rates occurring at the time of each grab sample, within the accuracy of plus or minus 5%. Each glass container used for sample collection or mixing shall be thoroughly rinsed with solvent rinsings as soon as possible after use, and the solvent rinsings shall be added to the composite sample for extraction and analysis.
- (6) **Total Chlorine Residual.** Effluent chlorine concentrations shall be monitored continuously. Chlorine residual concentrations shall be monitored and reported for sampling points both before and after dechlorination. The Discharger shall report the maximum residual chlorine concentration observed following dechlorination on a daily basis. Total chlorine dosage (kg/day) shall be recorded on a daily basis.  
  
Alternatively, the Discharger may evaluate compliance with this requirement by recording discrete readings from continuous monitoring equipment every hour on the hour, or by collecting grab samples every hour, for a total of 24 readings or samples per day, if the following conditions are met: (a) The Discharger shall retain continuous monitoring readings for at least three years; (b) The Discharger shall acknowledge in writing that the Regional Water Board reserves the right to use all other continuous monitoring data for discretionary enforcement; (c) The Discharger must provide in writing the brand name(s), model number(s), and serial number(s) of the equipment used to continuously monitor dechlorinated final effluent chlorine residual. If the identified equipment is replaced, the Discharger shall provide the Regional Water Board in writing, within 72 hours of the successful startup of the new equipment, the new equipment's brand name, model number, and serial number. The written notification identified in items (a) through (c) shall be in the form of a letter addressed to the Regional Water Board's Executive Officer with a certification statement as listed in the October 19, 2004, Regional Water Board letter re: *Chlorine Compliance Strategy for Dischargers Using Continuous Monitoring Devices*.
- (7) **Acute Toxicity.** Acute bioassay tests shall be performed in accordance with Section V.A of this MRP.
- (8) **Chronic toxicity.** Critical life stage toxicity tests shall be performed and reported in accordance with the Chronic Toxicity Requirements specified in Section V.B of this MRP.

- (9) **Dioxin-TEQ.** Chlorinated dibenzodioxins and chlorinated dibenzofurans shall be analyzed using the latest version of USEPA Method 1613; the analysis shall be capable of achieving one half the USEPA method 1613 Minimum Levels. Alternative methods of analysis must be approved by the Executive Officer. In addition to reporting concentration results for each of the 17 congeners, the dioxin-TEQ concentration shall be calculated and reported using 1998 USEPA Toxicity Equivalent Factors for dioxin and furan congeners.
- (10) **Heptachlor and tributyltin.** If not detected after 3 years of monitoring, the Discharger may request to the Regional Water Board to reduce the sampling frequency to twice per year.
- (11) **Remaining priority pollutants.** The sample type and analytical method should be as described in the August 6, 2001, letter (Attachment G), or as amended and subsequently approved by the Executive Officer.
- (12) **Standard observations.** As specified in the Self-Monitoring Program, Part A.

## V. WHOLE EFFLUENT TOXICITY TESTING REQUIREMENTS

The Discharger shall monitor acute and chronic toxicity at EFF-001 as follows.

### A. Whole Effluent Acute Toxicity

1. Compliance with the acute toxicity effluent limitations of this Order shall be evaluated by measuring survival of test organisms exposed to 96-hour continuous flow-through bioassays.
2. Test organisms shall be rainbow trout (*Onchorhynchus mykiss*) unless specified otherwise in writing by the Executive Officer.
3. All bioassays shall be performed according to the most up-to-date protocols in 40 CFR 136, currently in *Methods for Measuring the Acute Toxicity of Effluents and Receiving Water to Freshwater and Marine Organisms*, 5th Edition.
4. If specific identifiable substances in the discharge can be demonstrated by the Discharger as being rapidly rendered harmless upon discharge to the receiving water, compliance with the acute toxicity limit may be determined after the test samples are adjusted to remove the influence of those substances. Written approval from the Executive Officer must be obtained to authorize such an adjustment.
5. Effluent used for fish bioassays must be dechlorinated prior to testing. Monitoring of the bioassay water shall include, on a daily basis, the following parameters: pH, dissolved oxygen, total ammonia, un-ionized ammonia (by calculation, if toxicity is observed), temperature, hardness, and alkalinity. These results shall be reported. If a violation of acute toxicity requirements occurs or if the control fish survival rate is less than 90 percent, the bioassay test shall be restarted with new batches of fish and shall continue back to back until compliance is demonstrated.

### B. Whole Effluent Chronic Toxicity

#### 1. Chronic Toxicity Monitoring Requirements

- a. **Sampling.** The Discharger shall collect 24-hour composite samples of the effluent at monitoring location EFF-001, for critical life stage toxicity testing as indicated below.

For toxicity tests requiring renewals, 24-hour composite samples collected on consecutive days are required.

**b. Test Species.** The test species shall be *Ceriodaphnia dubia*. The Discharger shall conduct a three species screening chronic toxicity test as described in Appendix E-1 after any significant change in the nature of the effluent or prior to permit reissuance. The most sensitive species shall be used for routine chronic toxicity monitoring. The Executive Officer may change to another test species if data suggest that another test species is more sensitive to the discharge.

**c. Sampling Frequency.**

Routine monitoring: once per month

Accelerated monitoring: twice per month, or as otherwise specified by the Executive Officer.

Conditions for Accelerated Monitoring. The Discharger shall conduct accelerated monitoring when either of the following conditions is exceeded:

- (1) Three sample median value of 1 TUc, or
- (2) Single sample maximum value of 2 TUc.

**d. Methodology.** Sample collection, handling, and preservation shall be in accordance with USEPA protocols. In addition, bioassays shall be conducted in compliance with the most recently promulgated test methods, as shown in Appendix E-1. These are *Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Marine and Estuarine Organisms*, currently third edition (EPA-821-R-02-014), and *Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms*, currently fourth Edition (EPA-821-R-02-013), with exceptions granted the Discharger by the Executive Officer and the Environmental Laboratory Accreditation Program (ELAP).

**e. Dilution Series.** The Discharger shall conduct tests with a control and five effluent concentrations (including 100% effluent) and using a dilution factor  $\geq 0.5$ .

**2. Chronic Toxicity Reporting Requirements**

**a. Routine Reporting.** Toxicity test results for the current reporting period shall include, at a minimum, for each test:

- (1) Sample date(s)
- (2) Test initiation date
- (3) Test species
- (4) End point values for each dilution (e.g., number of young, growth rate, percent survival)
- (5) NOEC value(s) in percent effluent

- (6) IC<sub>25</sub> and IC<sub>50</sub> values (or EC<sub>25</sub>, EC<sub>50</sub>) as percent effluent
- (7) TUc values (100/NOEC, 100/IC<sub>25</sub>, or 100/EC<sub>25</sub>)
- (8) Mean percent mortality (±s.d.) after 96 hours in 100% effluent (if applicable)
- (9) NOEC and LOEC values for reference toxicant test(s)
- (10) IC<sub>50</sub> or EC<sub>50</sub> value(s) for reference toxicant test(s)
- (11) Available water quality measurements for each test (pH, D.O., temperature, conductivity, hardness, salinity, ammonia)

**b. Compliance Summary.** The results of the chronic toxicity testing shall be provided in the self-monitoring report and shall include a summary table of chronic toxicity data from at least three of the most recent samples. The information in the table shall include items listed above under 2.a, specifically item numbers (1), (3), (5), (6) (IC<sub>25</sub> or EC<sub>25</sub>), (7), and (8).

**VI. LAND DISCHARGE MONITORING REQUIREMENTS**

Not Applicable.

**VII. RECLAMATION MONITORING REQUIREMENTS**

Not Applicable.

**VIII. RECEIVING WATER MONITORING REQUIREMENTS – SURFACE WATER**

The Discharger shall continue to participate in the Regional Monitoring Program (RMP), which involves collection of data on pollutants and toxicity in water, sediment and biota of the Estuary. The Discharger’s participation and support of the RMP is used in consideration of the level of receiving water monitoring required by this Order.

**IX. PRETREATMENT AND BIOSOLIDS MONITORING REQUIREMENTS**

The Discharger shall comply with the pretreatment requirements specified in Table E-5 for influent (at Monitoring Location INF-001), effluent (at Monitoring Location EFF-001), and biosolids monitoring.

**Table E-5. Pretreatment and Biosolids Monitoring Requirements**

Constituents	Influent INF-001	Effluent <sup>(3)</sup> EFF-001	Biosolids <sup>(4)</sup>	Sample Type	
				INF-001 & EFF-001	Biosolids <sup>(d)</sup>
VOC	2/year	2/year	2/year	multiple grabs <sup>(5a)</sup>	grabs
BNA	2/year	2/year	2/year	multiple grabs <sup>(5a)</sup>	grabs
Metals <sup>(1)</sup>	1/month	1/month	2/year	24-hour composite <sup>(5b)</sup>	grabs
Hexavalent Chromium <sup>(2)</sup>	1/month	1/month	2/year	multiple grabs <sup>(5a)</sup>	grabs
Mercury	1/month	1/month	2/year	24-hour composite <sup>(5b,5c)</sup>	grabs
Cyanide	1/month	1/month	2/year	multiple grabs <sup>(5a)</sup>	grabs

**Legends for Table E-5:**

- VOC = volatile organic compounds
- BNA = base/neutrals and acids extractable organic compounds

1/month = once per month  
2/year = twice per year

**Footnotes for Table E-5:**

- (1) The parameters are arsenic, cadmium, copper, lead, nickel, silver, zinc, and selenium.
- (2) The Discharger may elect to run total chromium instead of hexavalent chromium. Sample collection for total chromium measurements may also use 24-hour composite sampling.
- (3) Effluent monitoring conducted in accordance with Table E-4 can be used to satisfy these pretreatment monitoring requirements.
- (4) Since the Discharger operates its solar drying operations only during the dry season, it may elect to report biosolids monitoring information once per year (dry season) during those times when it does not stockpile biosolids. If the Discharger stockpiles biosolids it will be required to report biosolids monitoring results for the stockpile during the wet season monitoring event.
- (5) Sample types:
  - a. Multiple grab samples for VOC, BNA, hexavalent chromium, and cyanide, must be made up of a minimum of four (4) discrete grab samples, collected equally spaced over the course of a 24-hour period, with each grab analyzed separately and the results mathematically flow-weighted or with grab samples combined (volumetrically flow-weighted) prior to analysis.
  - b. 24-hour composite sample may be made up discrete grab samples and may be combined (volumetrically flow-weighted) prior to analysis, or they should be mathematically flow-weighted. If automatic compositor is used, 24-hour composite samples must be obtained through flow-proportioned composite sampling.
  - c. Automatic compositors are allowed for mercury if either 1) the compositing equipment (hoses and containers) comply with ultraclean specifications, or 2) appropriate equipment blank samples demonstrate that the compositing equipment has not contaminated the sample. This direction is consistent with the Water Board's October 22, 1999, letter on this subject.
  - d. Biosolids collection should comply with those requirements specified in Attachment H, Appendix H-3 of this Order for sludge monitoring. The biosolids analyzed shall be a composite sample of the biosolids for final disposal. The Discharger shall also comply with biosolids monitoring requirements required by 40 CFR 503.

**X. MODIFICATIONS TO PART A OF SELF-MONITORING PROGRAM (ATTACHMENT G)**

**Modify Section F.4 as follows:**

**Self-Monitoring Reports**

[Add the following to the beginning of the first paragraph:]

For each calendar month, a self-monitoring report (SMR) shall be submitted to the Regional Water Board in accordance with the requirements listed in Self-Monitoring Program, Part A. The purpose of the report is to document treatment performance, effluent quality and compliance with waste discharge requirements prescribed by this Order, as demonstrated by the monitoring program data and the Discharger's operation practices.

[And add at the end of Section F.4 the following:]

- g. If the Discharger wishes to invalidate any measurement, the letter of transmittal shall include identification of the measurement suspected to be invalid and notification of intent to submit, within 60 days, a formal request to invalidate the measurement. This formal request shall include the original measurement in question, the reason for invalidating the measurement, all relevant documentation that supports the invalidation (e.g., laboratory sheet, log entry, test results, etc.), and discussion of the corrective actions taken or planned (with a time schedule for completion) to prevent recurrence of the sampling or measurement problem
- h. Reporting Data in Electronic Format

The Discharger has the option to submit all monitoring results in an electronic reporting format approved by the Executive Officer. If the Discharger chooses to submit SMRs electronically, the following shall apply:

- 1) **Reporting Method:** The Discharger shall submit SMRs electronically via the process approved by the Executive Officer in a letter dated December 17, 1999, Official Implementation of Electronic Reporting System (ERS) and in the Progress Report letter dated December 17, 2000, or in a subsequently approved format that the Order has been modified to include.
- 2) **Monthly Reporting Requirements:** For each reporting month, an electronic SMR shall be submitted to the Regional Water Board in accordance with Section F.4 of SMP, Part A. However, until USEPA approves the electronic signature or other signature technologies, Dischargers that are using the ERS must submit a hard copy of the original transmittal letter, an ERS printout of the data sheet, a violation report, and a receipt of the electronic transmittal.
- 3) **Annual Reporting Requirements:** Dischargers who have submitted data using the ERS for at least one calendar year are exempt from submitting an annual report electronically, but a hard copy of the annual report shall be submitted according to Section F.5.b and F.5.c of SMP, Part A.

## XI. REPORTING REQUIREMENTS

### A. General Monitoring and Reporting Requirements

The Discharger shall comply with SMP Part A (Attachment G), the federal Standard Provisions (Attachment D) and the Regional Water Board's Standard Provisions (Attachment G) related to monitoring, reporting, and recordkeeping.

### B. Self Monitoring Reports (SMRs)

1. At any time during the term of this permit, the State or Regional Water Board may notify the Discharger to electronically submit SMRs using the State Water Board's California Integrated Water Quality System (CIWQS) Program website (<http://www.waterboards.ca.gov/ciwqs/index.html>). Until such notification is given, the Discharger shall submit hard copy SMRs. The CIWQS website will provide additional